

STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

In the Matter of Licenses 4417, 4663, 4651, 4854
(Applications 12291, 12292, 12293, 12294)
Cook & Butcher Ditch Water Users

ORDER REVOKING LICENSE

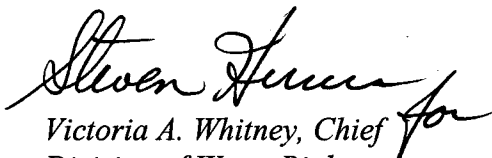
SOURCE: North Cow Creek tributary to Cow Creek thence Sacramento River

COUNTY: Shasta

WHEREAS:

1. Revocation request forms dated April 4, 2005 have been received from Shannon L. Wooten, on behalf of Cook & Butcher Ditch Water Users (Licensee), requesting revocation of the licenses by the State Water Resources Control Board (State Water Board), Division of Water Rights (Division).
2. The Division interprets the Licensee's request for revocation as a waiver of the notice and hearing requirements set forth in Water Code sections 1675 through 1675.2.

Therefore, it is ordered that Licenses 4417, 4663, 4651, and 4854 are hereby revoked by the State Water Board, and the water is declared to be subject to appropriation. This revocation may not result in additional water being available for new appropriations if there are applicable restrictions due to past State Water Board decisions regarding water availability.


Victoria A. Whitney, Chief *for*
Division of Water Rights

Dated:

JUN 09 2005

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 12291

PERMIT 7307

LICENSE 4417

ORDER ALLOWING CHANGE IN PLACE OF USE

WHEREAS:

1. License 4417 was issued to Vicent E. Gasser, Roy R. Thomas and C. H. Thomas and was filed with the County Recorder of Shasta County on December 21, 1956.
2. License 4417 was subsequently assigned to Cook and Butcher Ditch Water Users.
3. A petition for change in place of use has been filed with the State Water Resources Control Board and said Board has determined that good cause for such change has been shown.
4. The Board has determined that the petitioned changes do not constitute the initiation of a new right or operate to the injury of any other lawful user of water.

NOW, THEREFORE, IT IS ORDERED THAT:

The place of use under this license shall be as follows:

2 acres within NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 29, T32N, R3W, MDB&M
11 acres within SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 20, T32N, R3W, MDB&M
10 acres within NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 20, T32N, R3W, MDB&M
30 acres within SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 20, T32N, R3W, MDB&M
40 acres within SE $\frac{1}{4}$ of Section 17, T32N, R3W, MDB&M
4 acres within NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 17, T32N, R3W, MDB&M

97 acres total

Dated: **JULY 17 1985**

Raymond Walsh
Raymond Walsh, Chief
Division of Water Rights



STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water.

APPLICATION 12291

PERMIT 7307

LICENSE 4417

Notice of Assignment (Over)

THIS IS TO CERTIFY, *That* Vincent E. Gasser, Roy R. Thomas and C. H. Thomas
Bella Vista, California

have made proof as of September 7, 1955,
(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of
North Cow Creek in Shasta County

tributary to Cow Creek thence Sacramento River Notice of Assignment (Over)

for the purpose of irrigation use

under Permit 7307 of the State Water Rights Board and that said right to the use of said water has been
perfected in accordance with the laws of California, the Rules and Regulations of the State Water Rights Board and the
terms of the said permit; that the priority of the right herein confirmed dates from February 3, 1948;
and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited
to the amount actually beneficially used for said purposes and shall not exceed twelve hundredths (0.12)
cubic foot per second to be diverted from about April 1 to about July 1 of each
year.

The equivalent of such continuous flow allowance for any thirty day period may
be diverted in a shorter time if there be no interference with other vested rights.

The total amount of water diverted under this right together with that diverted
under the right of L. J. Sharp as set forth by the JUDGEMENT AND DECREE IN CASE
NO. 5804, Superior Court, Shasta County shall not exceed three hundred ninety-five
thousandths (0.395) cubic foot per second.

The point of diversion of such water is located north thirty nine degrees east
(N 39° E) two thousand nine hundred seventy (2970) feet from SW corner of Section 9,
T 32 N, R 3 W, MDB&M, being within NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 9.

A description of the lands or the place where such water is put to beneficial use is as follows:

19 acres within SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 29, T 32 N, R 3 W, MDB&M, including
13 acres as set forth, under the right of L. J. Sharp, by the JUDGEMENT AND
DECREE IN CASE NO. 5804, Superior Court, Shasta County.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

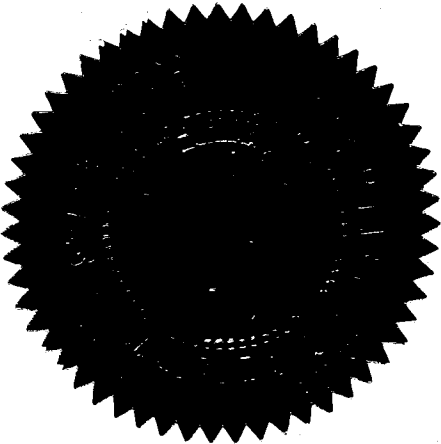
Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: **OCT 23 1956**

STATE WATER RIGHTS BOARD

By *Leslie C. Jopson*
Leslie C. Jopson
Chief Engineer



10/30/58

RECEIVED NOTICE OF ASSIGNMENT TO of int of C. H. Thomas
to Kenneth & Virginia Peterson

10/30/58

RECEIVED NOTICE OF ASSIGNMENT TO of int of Vincent E. Gassen to
Don Stanchfield

10/30/58

RECEIVED NOTICE OF ASSIGNMENT TO of int of Don Stanchfield to B. J.
+ Marcheta M. Schweigman

10/30/58

RECEIVED NOTICE OF ASSIGNMENT TO of int of Roy Thomas to
J. E. Foster & Margaret Foster

5-17-71 Records chgd to show ownership in names of Louis R. & Laura M. Cerna;
Teddy & Betty Sartore, Roy R. & Margaret E. Thomas, Charles R. & Viola D.
Christy, George W. & Luana L. Redding, Elmer A. & Mearl Peterson

4-9-85 Orgs to Cook & Butcher Ditch Water Users

L. Thomas and
Thomas